

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA	CRIMINAL ACTION No. 13-00034
VERSUS	JUDGE ROBERT G. JAMES
ROBERTO GARCIA	MAG. JUDGE KAREN L. HAYES

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, by virtue of the terms and conditions of Defendant Robert Garcia's plea agreement and adjudgment of guilt, the United States of America ("the United States") is now entitled to possession of all of Defendant's rights, title, and interest in the following property:

a Llama-Gabilondo y Cia Pistol, Model Max 1-L, .45 caliber and ammunition

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the United States' Motion for Preliminary Order of Forfeiture [Doc. No. 28] is GRANTED and that:

1. Based on Defendant's plea agreement and his admission at the Rule 11 Hearing where he entered a guilty plea to Count 1 of the Indictment, the firearm and ammunition is subject to forfeiture, all rights, title and interest of Defendant Roberto Garcia, and the following property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 18, United States Code, Section 924(d)(1):

a Llama-Gabilondo y Cia Pistol, Model Max 1-L, .45 caliber and ammunition

2. Upon entry of this Order, the United States Marshal's Service or the Bureau of Alcohol, Tobacco, Firearms, and Explosives is authorized to seize said assets on behalf of the United

States, in accordance with Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure.

3. Pursuant to Title 21, United States Code, Section 853(n)(1) and the Attorney General's authority to determine the manner of publication of an Order of Forfeiture in a criminal case, the United States shall publish notice of this order on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, notice of this Order and notice of the United States Marshal Service's or Bureau of Alcohol, Tobacco, Firearms and Explosives' intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than Defendant Robert Garcia, having or claiming a legal interest in the property must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

All such claims and answers must be filed with the Office of the Clerk, United States District Court, Western District of Louisiana, 300 Fannin Street, Suite 1167, Shreveport, Louisiana 71101 with a copy thereof sent to Assistant United States Attorney Seth D. Reeg, 300 Fannin Street, Suite 3201, Shreveport, Louisiana 71101.

4. That upon adjudication of all third party interests, this Court will enter a Final Order of

Forfeiture in which all interests will be addressed.

MONROE, LOUISIANA, this 4th day of February, 2014.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE